

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION

JEROME WEATHINGTON

PLAINTIFF

V.

CIVIL ACTION NO. 4:17-CV-00020-DAS

DONOVAN CLARK, et al.

DEFENDANTS

ORDER

This matter comes before the court, *sua sponte*, upon consideration of the plaintiff's *pro se* response filed on November 18, 2019. Doc. #48. In light of the plaintiff's response, it appears that he misunderstands the nature of the "evidentiary hearing" to be held in this cause. Although referred to as an "evidentiary hearing," in the instant case it is, in every respect, a trial on the merits, in which the plaintiff's claims will be finally adjudicated. The court reminds the plaintiff that he consented to have the undersigned conduct all proceedings in this case, including trial and entry of final judgment. *See* Doc. # 19. Moreover, as the plaintiff did not submit a demand for a trial by jury, the trial in this cause will be a bench trial, during which the undersigned will preside. *See* Doc. #24. At trial, the plaintiff will be permitted to present his case, including the questioning of witness and offering of exhibits. In turn, the defendants will be permitted to present their defense. Following the conclusion of this trial, a judgment will be entered—finally adjudicating the plaintiff's claims on the merits. In sum, after reviewing the aforementioned response, the court found it necessary to clarify the nature of the upcoming proceedings.

**SO ORDERED** this, the 20th day of November, 2019.

/s/ David A. Sanders

DAVID A. SANDERS

UNITED STATES MAGISTRATE JUDGE